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## MAKING PUBLICS: IMMIGRANTS, REGIMES OF PUBLICITY AND ENTRY TO “THE PUBLIC”

The public sphere. Inclusion. Inclusion in the democratic public. There has been a great deal of research and writing on these topics. Common to much of this writing is an assumption – or perhaps a hope – that a society becomes more democratic as more and more individuals and social groups gain access to the public sphere and are incorporated into the public. Within geographical research and writing, attention is often directed to the strategic uses of space by different agents as they attempt to claim a stage for public address and thereby to condition entry into the public. In this research, gaining visibility in public space, addressing people who do not hold similar views, and laying claims to public space are seen as key moments in the process by which groups struggle to enter a public or a public sphere that transcends the specific sites of contestation.

There are a number of critiques of the approach sketched in the preceding paragraph, not least of which is its simplistic, almost determinist quality. Indeed, in presenting the bare bones of a summary, we have probably constructed a caricature that does not describe any individual piece of research. Yet the critiques are nevertheless instructive. Some authors argue that geographers pay too much attention to physical spaces – to public space, for instance – when other kinds of spaces may be more important (e.g., Barnett, 2008). Other authors question the implicit assumption that there is a singular public to which access is desired (e.g., Warner, 2002). Still others question the very meaning and significance of inclusion in a public sphere characterised by structural inequality and power relations that marginalise, even as appearing inclusive (e.g., Dikeç, 2005). Less commonly stated are worries that perhaps not all groups *should* be included in the public. Some strands of communitarianism and neoliberalism emphasize the qualities of people worthy of inclusion (e.g., Etzioni, 1993), but some scholars on the Left quietly worry about the effects of allowing a site for public address to those who would deny civil liberties (e.g., neo-Nazi groups). While these critiques seem disparate, they share a sensibility that the relationship between visibility, public address, and inclusion is not straightforward and does not lead inexorably to more democratic societies (Watson, 2006; Iveson, 2007; Barnett, 2008).

In this paper, we examine the interplay between spatial strategies and social relationships in attempts to stake a claim in public. We begin with a set of vignettes that describe efforts of immigrant activists to lodge claims for recognition, acceptance and

inclusion in the American public. These are not fully formed empirical analyses of entry into the public, as “the public” is something imagined and discursively formed, rather than a fixed entity into which “entry” can be unambiguously traced. Rather, in discussing these vignettes, we highlight the interplay between the physical and legal construction of spaces, social norms, and the processes by which claims for inclusion are legitimated, and argue that these relationships condition the possibilities for inclusion in a public. They are not, however, joined in a mechanistic process that necessarily leads to a more inclusive society or democracy. Rather, each element is part of a strategy only partially controlled or capable of being manipulated by any of the agents involved in struggles for inclusion (or exclusion). We argue further that the outcome of these struggles do not lead to an ever-more-inclusive public, but instead may contribute to the formation of multiple publics that jostle against each other. The argument we present thus highlights the ongoing nature of struggles for access to the public realm, the agonism inherent in the process, and the fragmented nature of the public.

Before introducing the vignettes, however, a comment about terms is in order. One of the features of the debates over public space, the public sphere, and the qualities of the public is a slipperiness as to how the terms are used. Some of the slipperiness comes as debates cross disciplinary boundaries and languages. Some of the slipperiness is also because the relationship between different kinds of spaces (e.g., material and metaphorical) is complicated. Some of it may stem from sloppiness in writing. And some of it is because authors employ different definitions of “public,” an issue that is compounded in empirical studies, as respondents may use different definitions yet again (Staeheli and Mitchell, 2007). We use the term “public space” or “publicly accessible space” when we are discussing physical spaces that are relatively open to a range of people and behaviours. These spaces are never completely open, so our focus is on the kind of access they allow and the conditions under which it is granted. We use the terms “the public” or “a public” to refer to a socio-political collective that is constructed through dialogue and action and that engages strangers or people not directly known to the speaker/actor. As noted, the public is not something we can easily observe empirically, as it is constructed in and through a range of discourses. Yet the idea of the public is one that is mobilised in political debate and rhetoric, sometimes to reinforce hegemonic and essentialist notions of the public, and sometimes to highlight injustice in the ways it seems to be constituted (Robins, 1993). We use the term “public sphere” to refer to the often metaphorical space in which dialogue and action circulate in the

construction of publics. We use the term “publicity” to discuss the qualities of the public and public realm in terms of inclusiveness, the capacities to engage in meaningful action, and the relationships between different publics and people within them. Finally, we use the term “public realm” to conceptualise the metaphorical and material spaces and relationships that construct publicity. We offer these definitions now in an attempt to minimize confusion, but justify and expand them as we move through the paper. As Michael Warner (2002) notes, there is a chicken-and-egg quality to the public and public formation; a public, he argues, cannot exist separately from the rhetorics (and we would add, actions) that imagine it. While we attempt to prise apart the spaces, actions, and collectivities that are part of the public realm, there is an unavoidable messiness, or as noted above, slipperiness in the terms.

### **Immigrants and the Public: Three American Vignettes**

We use examples related to immigrants in the United States to explore the struggles for inclusion in the public. There is a wide-ranging debate in both the academy and in American politics about the incorporation (or non-incorporation) of immigrants into what is often conceptualised as a singular American public. Among the topics addressed in this debate are the historical contexts of immigrant incorporation (e.g., Jacobson, 2002; Ngai, 2004), transnationalism and incorporation (Ong 1999), and the effects of segregation on incorporation (e.g., Alba and Nee 2003; Clark 2003). The experiences of immigrants can highlight the ways in which publics are reshaped through both overt political action and through the banal politics of daily life. Yet entering the public realm in order to express viewpoints, to engage in political address, or to simply to be part of a social collectivity can be an anxious, fraught moment for many immigrants for several reasons. Many of the coping mechanisms used by immigrants require their invisibility; the use of public spaces in order to highlight the situation of immigrants, however, relies on making their situation visible. In addition, politicians and public officials often seem to focus on immigrants as a cause of social and economic problems. Visibility and efforts to focus public debate on the situation of immigrants might therefore be affirming, but it can also be dangerous. Nevertheless, the experiences of immigrants in public – both in public spaces and in the public sphere – allow us to take up the challenge raised by Bonnie Honig (2002) in her book *Democracy and the Foreigner*, and to consider the “work” that foreigners do as they shed light on the qualities of

democratic inclusion in a society. Our overarching concern is with the qualities of the public created in and through struggles for inclusion.

The vignettes that we present are constructed from news accounts and interviews. Two of the vignettes are drawn from a study of Arab immigrants to the US, in which we interviewed leaders of organisations serving Arab communities. Participants in this study were promised confidentiality, but many of them have been named in press accounts in which they presented arguments that reinforced the interviews. In news articles and in interviews, people described their efforts to demonstrate the importance of immigrants to the US and why they should be included in an American public. We are particularly interested in the spatial strategies they employed as they negotiated social norms and expectations about how and whether immigrants “belonged” as Americans and their proper position within the American public.

#### *Vignette 1: Immigrants Rights Rallies of 2006*

In the spring of 2006, thousands of immigrants and their supporters took to the public spaces of cities and towns across the United States to rally for their rights. The spark for these rallies was the so-called Sensenbrenner Bill, a proposed law that would have imposed strict penalties on immigrants found to be out of compliance with any immigration rule, constructing them as “illegal” and as “felons.” While much of the public debate about the bill implied that it was targeted toward undocumented immigrants, those who work with or are part of immigrant communities know that it is very difficult to stay in compliance with the complex and ever-shifting regulations regarding immigration; their fears were that almost any immigrant could be treated as a felon and be subject to deportation without due process under the law<sup>1</sup>. Organizers of the rallies hoped that the nature – and what they believed was the injustice – of the legislation would serve as the impetus for a civil rights movement for immigrants.

The messages of the rallies were both externally and internally directed. To those who were not immigrants, the rallies were intended to demonstrate the contributions made by immigrants who work hard, pay taxes, and contribute to the vitality of American communities. Participants asked native-born Americans to imagine a day without immigrants and to reflect on whether the criminalization of immigration would lead to a better quality of life for them as individuals or to an enriched American life. To

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<sup>1</sup> See Coleman (2007) for a discussion of immigration regulation and the way that it works outside the structures of the criminal law, even as it relies on police power and criminal penalties.

immigrants and their supporters, the rallies were intended to create a sense of solidarity and to impart a sense of urgency to the struggle to protect – and even expand – rights for immigrants in the US.

In spreading these messages to both audiences, visibility in public space was a key part of organizers' strategy. In order to create both a public dialogue and a sense of solidarity, immigrants and their contributions had to be seen, and had to be seen in a positive light. Often rallies were held in spaces symbolically central to the American polity: Federal Plaza in Chicago, City Hall Park in New York, the Mall in Washington, DC. But just as often they were held at *economically* symbolic sites. On the 10<sup>th</sup> of April, 2006 – the National Day of Action for Immigrant Justice – rallies were held in at least 140 cities. Many of these were like the one outside Atlanta, where perhaps 40,000 people rallied at a suburban shopping mall that serves both as a site for a day labour market and as a place catering to the needs of Latino immigrant consumers. Organisers' strategy was to remind the larger public of immigrants' centrality to the economy while demanding a place in the public realm. By occupying public space, the contributions of immigrants to the daily life of millions of Americans as house cleaners, child minders, gardeners, low wage workers in service industries and so forth were brought into public space, at least temporarily. Visibility in public space was also important in reaching immigrants and to connecting them with the organizations and networks that were working to protect their rights. It was hoped that the rallies could counteract the isolation and fear of exposure that characterizes the lives of many immigrants and that makes it difficult to build the connections that could launch a new civil rights movement. Yet visibility was also dangerous, as organisers worried that the rallies would be watched by immigration authorities and that undocumented migrants would be exposed.

### *Vignette 2: Arab Town*

Driving through Anaheim, California, an outsider is probably in search of the Magical Kingdom, for the city is the home of Disneyland. Leaving the freeway on the wrong exit, however, the outsider could find him- or herself in the middle of Arab Town and on a street sometimes referred to as the Gaza Strip<sup>2</sup> (Figure 1). Arab Town is a concentration of Arab-origin families and of many businesses and organisations serving

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<sup>2</sup> The naming of the area itself is rather unstable. The map given to us in 2003 by the founder was labeled "Arab Town," an article in the same year called it "Arab City," the founder used both names in the interview, and the on-line version of the map accessed in 2008 is labeled "Little Arabia" (see [http://www.awnews.net/little\\_arabia.html](http://www.awnews.net/little_arabia.html), last accessed 27 January, 2008.)

Arab and Muslim communities. The families and institutions associated with the Arab community did not establish themselves in Arab Town by chance, however, as this is not an “organic” ethnic enclave. Rather, Arab Town was built through the efforts of a small set of people intent on creating a place for Arabs in the Los Angeles/Orange County region.

-----Figure 1 about here-----

Arab Town was, in effect, founded by an entrepreneur who had migrated to the US from Lebanon during its civil war. Like many of those who left at that time, he came to the US as a student, but established a small business and prospered. Beginning in the late 1990s, the entrepreneur became interested in the neighbourhood surrounding Brockhurst Avenue. In his view, it was a distressed, rather seedy area. The houses were small and in need of repair. The business strip along Brockhurst Avenue included adult bookstores, bars, and striptease clubs scattered amongst the vacant buildings; the vacancy rate was about 50%. The businesses that were there seemed to contribute to the depressed feeling the area exuded. Property prices in the area were the lowest in Orange County.

Where others saw decay and sleaze, the entrepreneur saw an opportunity. While the property was cheap, it was also safe; its proximity to Disneyland ensured that police regularly patrolled the area and could respond quickly to crime reports<sup>3</sup>. This was something the entrepreneur had a particular interest in, as several people told us that his son had been the victim of a brutal attack that was apparently motivated by anti-Arab, anti-Muslim hatred. Furthermore, the houses were fundamentally sound, even if they needed repair. It was here, then, that the entrepreneur saw an opportunity to create a neighbourhood where Arab families – who often migrated with few monetary resources – could settle, establish businesses, and feel at home. So he set about marketing and branding the area as Arab Town, publicising it in all the Arab papers by having articles published and by publicising a map labelling the area.

And Arab families did move there. The map, in particular, seems to have drawn a number of families. In the entrepreneur’s words:

“The map you saw in the paper made it all. Let’s say a new family came from Lebanon this week. Where are you going to go? I mean, to feel familiar and feel at home and not strangers, they come here. This is where you go. When they

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<sup>3</sup> The Disney Corporation apparently pays for the policing in Anaheim, with a stipulation that areas close to Disneyland be carefully patrolled with an eye to safety (Twair 2003). Arab Town abuts Disneyland.

read the paper, they say, ‘Let’s go there. There are a lot of Arabs to help us out, give us a job. Maybe if we need to ask what to do, they help us out. And if we want to eat some bread or some food, this is where we go, walking down the street.’ I know for a fact that 50% of newcomers come to Anaheim and to this area especially.”

Within five years of starting to market the area, Arab Town hosted over 25,000 Arab-Americans, over 400 businesses, three mosques, three Eastern Orthodox churches, and branches of most of the national organisations serving the Arab and Muslim communities. The vacancy rate in business properties is 0%, and the entrepreneur predicted that there would be over 60,000 Arab-Americans in the area by 2010 (Twair, 2003)<sup>4</sup>. The business district – with the signs for shops and restaurants in Arabic – seems like just another ethnic neighbourhood. As the entrepreneur told us, it is no different than Korean, Chinese, or Italian districts in American cities. There is, as he said, “nothing strange.”

The presence of a large number of homes owned by Arabs – with their strong commitment to social norms of family, religiosity and hard work, they argued – transformed the neighbourhood from one that was rather seedy to one in which it was safe to be an Arab or Muslim in public. There is a security in numbers as people walk through the neighbourhood, and the presence of Arab-owned shops, businesses and organisations provides comfort for those who live there. Some people told us, for instance, that after September 11<sup>th</sup>, they worried about leaving their homes; one man said his family didn’t go out of the house except in Arab Town. In the words of the entrepreneur, the establishment of Arab Town and the presence of families and businesses there allows the Arab community to say about the US, “This is our country.” As a space to be in public, Arab Town feels secure by virtue of the mix of privately-owned businesses and homes that simultaneously normalise the presence of Arabs and allow safe movement through the area.

### *Vignette 3: Arab American Day Festival*

Orange County is also host to the annual Arab American Day Festival. The festival is held in late September each year and brings together a variety of organisations, businesses, civic groups, and community leaders in a celebration of Arab culture in

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<sup>4</sup> All population figures are estimates, as the US Census does not include “Arab” as an enumeration category.



Orange County and in America. Thousands of people gather for food, music, dance, speeches, and a good time. In this way, it is also just like other celebrations of ethnic heritage in the US, such as St. Patrick's Day parades for Irish-American communities, Columbus Day parades for Italian Americans, and celebrations of Chinese New Year. Since it was initiated in 1996, the Arab American Day Festival has been held at a park jointly managed by the City of Garden Grove and a branch campus of a state university. When the festival began, the organisers usually arranged skydivers to jump into the festival grounds carrying large flags of the US and of Arab nations. Sometimes, they would also hire planes to fly a big banner with the flags as an expression of pride in their heritage. In 2001, however, the festival was cancelled. Scheduled for just a few days after the attacks on September 11<sup>th</sup>, organisers feared for the safety of their community and hunkered down in their homes.

In 2002, however, the organisers felt it was important to hold the festival again. Some people were worried about possible reprisals, but organisers persevered. As one said, "We're part of this community. We're American and we don't belong to what happened with bin Laden... This is our country. If someone is going to come and hurt us, he is an outlaw, and we won't let him. We're not going to stay at home; we want to go out, like every day business, how we used to be before." As an expression of belonging to America and to having rights to be in public, he felt it was important to hold the festival.

But there was a hitch. The university and city would not let the festival use a skydiver to plant the flags of the Arab countries on campus. One of the organisers objected:

I said "Why?" They said, "Because it's a terrorist country. We won't let these flags come down on the state land." I told them, "What do you mean 'the state land'? These flags belong to us. This is our heritage, our history"....So they stopped us from skydiving, so I told them "OK. You own the land, but you don't own the skies, so I'm going to fly them up there."

Civil aviation authorities then intervened, saying that the festival could not fly the planes over the nearby beaches, baseball stadia, shopping malls, and Disneyland. The mix of properties and attendant regulations governing the spaces – including airspace – of nearby properties made flying infeasible. Not to be defeated, however, the organiser arranged big helium balloons to fly the flags in the air over the festival. And there was a certain satisfaction that the balloons were cheaper than the skydivers and that the

balloons stayed in the air above the campus for four days, rather than for the time it took the skydivers to land.<sup>5</sup> So even though the original plans were thwarted, in part by the local government's and state university's rules governing the park and by regulations on the use of airspace over nearby properties, the organisers found a space where the property ownership and regulation was less clear. They used that space to proclaim the loyalty of Arab-Americans to the cultures of their homelands as well as to the US. The lack of clarity regarding who owned and regulated the airspace above the campus allowed a highly visible location for public address in which claims could be made as a group of people who were both Arab *and* American.

### *Spatial Strategies of Inclusion?*

In none of these cases did simply entering public space ease access to the public sphere or to the public. No one probably assumed that it would<sup>6</sup>. It should be clear, for instance, that a variety of kinds of spaces – spaces that are more and less accessible to the public – shape the activities, forms of address, and reception of ideas. Some of the activities took place on what might be thought of as quintessential public spaces: parks, streets, plazas owed by the government. Yet public ownership of land does not guarantee unfettered access; as the organisers of the Arab American Festival discovered, governmental institutions can put all manner of restrictions on the use of publicly owned land. At the same time, privately owned properties can be sites of protest – as in the immigrant rights rally outside Atlanta – or can provide a measure of safety for those who venture into the streets.

To the extent that activists employed spatial strategies to gain visibility and thereby, it was hoped, access to the public sphere, it was not a consistent strategy. Sometimes visibility in public space was an important. For the organisers of the immigrant rights rallies, large number of protestors lent credibility to the claim that America depended on the presence of immigrants in the country to ensure a prosperous economy and communities. Visibility in public space was intended to bolster their claims for fair treatment. Yet visibility was also perilous. When protestors violated laws by working without documents, visibility could put them in danger. Presence in public space was also important in Arab Town. Whereas Arab immigrants felt insecure in some

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<sup>5</sup> Apparently the festival got permission to fly a plane with a banner for Arab American Day and all the flags in later years, although the organiser's comments on this are unclear.

<sup>6</sup> Although Barnett's (2008) discussion of geographers' attention to public space comes close to arguing that geographers assume this.

parts of Anaheim and Orange County after 9/11, the sight of Arabs going about their daily lives in Arab Town created a sense of normalcy and of safety. Sometimes visibility in public space drew attention to a struggle to be included, as when the organisers of the Arab American Day Festival insisted on holding the festival and proclaiming their heritage. Sometimes visibility in public spaces challenged the expectations and assumptions held by Americans, as when rallies in large and small towns across the country were organised in the spring of 2006 and when Americans confronted their reliance on the labour of immigrants and immigrants' contributions to the broader economy and to local communities. And sometimes, entry into public space was made easier by the creation of exclusionary spaces (e.g., private homes or businesses) that offered protection if immigrants felt threatened in public spaces. As the vignettes demonstrate, spatial strategies for inclusion are complex, traversing public and private spaces that may be variously inclusionary and exclusionary.

So how should we make sense of this? In the following sections we describe a conceptual argument that can help us understand the complex and rather chaotic process by which claims to be part of the public are made; this argument relies on a notion of a regime of publicity. We use this idea to understand the interrelation between the spaces in which public address and visibility are engaged and the social relationships and expectations that limit access to the public. In so doing, we underscore the importance of a conceptualisation of the public that is fragmented, rather than unitary.

### **Regimes of Publicity**

Two terms need to be defined here: regime and publicity. A regime is a prevailing system of laws, practices and relations; it is a relatively settled and socially agreed upon set of rules that reflect and shape the deployment of power. Publicity, as we defined it in the introduction to the paper, refers to the qualities of a public. We argue here that the prevailing system of laws, practices and relations conditions the qualities of a public.

We conceptualise a regime of publicity as comprising three sets of relationships: social norms of community membership, practices of legitimation, and relations of property<sup>7</sup>. Together, these relationships condition how publics might be formed and *received* by members of other publics. The interplay between these three sets of relationships is crucial to the formation of publics, but we begin with a discussion of each in isolation.

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<sup>7</sup> The discussion in this section draws from Staeheli and Mitchell (2008, Chapter 6).

*Community and social norms*

The term “community” implies a commonality and an ability to interact in interpretable ways. While the idea of community is often linked to the idea of a public, the two terms should be differentiated conceptually. The ability to reach beyond those who are already known to each other and to draw strangers into discourse is a critical step – and perhaps the defining step – in the construction of a public. A public, however, is different from a community in which a kind of social solidarity derives from sharing a *pre-existing* history, experience, or identity (Baechler 1993; Delanty, 2003). While this distinction is important, we should acknowledge the constitutive role that ideas about community and the norms associated with them play in the formation of a public and in the processes by which new people are included. First, it must be noted that while *we* make a conceptual distinction between communities and publics, a host of political theorists, politicians and activists do *not* (see Staeheli, 2008). Thus, in the real world where publics are created, there is often a conflation of terms and categories in ways that seem to equate “community,” “the public,” and in some cases, “the polity.” Second, the chicken-and-egg nature of the formation of publics means that some sense of community and shared ideals and norms is facilitated by the pre-existence of some feeling of “publicness” (Warner, 2002). Again, at a practical level, a sense of commonality can provide the basis for the uptake of ideas and for discussion amongst people who might otherwise be strangers. But coming full circle, the formation of a public may also spawn a feeling of community, meaning that the conceptual distinction between publics and communities is not easily sustained in practice.

The ability to join or gain access to a public is, also as a pragmatic matter, enhanced if the people who might wish to be included hold views and engage in behaviours that are consonant with existing social and community norms; sharing norms may simply make it easier to imagine and construct a socio-political collective, the definition of a public we initially offered. The importance of community and social norms, however, is also seen in the relations between members of social groups seeking inclusion and the dominant society. A group that is seen to be deviant or to violate the norms of the public, for instance, is likely to face conflict as they seek inclusion. If, however, members of a social group seem to behave in ways that are consistent with social and communal norms, they may be more readily accepted. Norms, thus, act as pathways to inclusion and acceptance within the public. Norms may also, however, act

as barriers, and those people who are presumed to not share in communal norms – or worse, to challenge them – may be excluded. In this way, while norms are not constructed through law, they can often take on the force of law, and the implicit social acceptance and policing of norms related to behaviour and ideas set the stage for the relationships within the public sphere at any given time.

In each of the vignettes of immigrant activism, we can see the appeal to social norms of membership that were promoted. The immigrant rights activists attempted to highlight the ways in which immigrants – documented and otherwise – subscribed to an ethic of hard work and of participating in community. Residents of Arab Town and people who attended the Arab American Day Festival enact community norms through their every day activities in public space and in their celebration of America's ethnic diversity. In the case of the Festival, organisers were clear that it was important to hold the Festival after 9/11 precisely to demonstrate that Arab-Americans did not “belong to what happened with bin Laden.” Assertions of community norms did not, in and of themselves, guarantee inclusion in the American public, but it certainly made it easier to imagine immigrants and Arabs *as* Americans, and thereby, as worthy of inclusion in the public.

### *Legitimacy*

The ability to shape social norms and to enforce them is an exercise of power, usually exerted over a long period of time. But to be effective the claims made on social norms must be seen as legitimate, as normal, as unremarkable. In other words, to be legitimate, the actions and discourses involved in the creation of a public must be consistent with existent notions of publicity. Thus, there is another paradox. Struggles to gain acceptance in public often challenge the legitimacy of extant practices, ideas and values that have been normalised; in challenging those norms, however groups may create a sense of their own *illegitimacy*. Thus the process of entering the public involves various strategies and moments when the legitimacy of existing publics are challenged. In those challenges, however, the ‘deviance’ or nonconformity of the group seeking entry to or recognition in the public may be highlighted, thereby making their acceptance more difficult. To negotiate this paradox, groups often have to draw on practices and ideas that may seem legitimate in other senses as they strive to make the exclusionary or limiting nature of social norms seem remarkable.

The organisers of the immigrant rights rallies had to confront this issue directly. As noted above, they tried to present immigrants as people who came to the US to work and who provided valuable services to the American public and American economy. In pressing claims to rights and fair treatment, however, they had to deal with the reality that many of the people they represented were in the country without documents and the legal right to work. As such, in highlighting immigrants' conformity with some social norms, they also raised the issue of the ways that some immigrants, at least, were not following the law. Under these circumstances, legitimating the claims of immigrants would be very difficult, and indeed, subsequent debates over immigration gave witness to these difficulties. To counteract this, organisers drew on a different set of legitimating claims (claims that would in other contexts be called myths) including the American history of immigration. They also pressed moral claims associated with republican conceptualisations of citizenship about commitment to work, to paying taxes, and to families as a way of demonstrating their worthiness for protection and for inclusion. Similarly, the founders of Arab Town and the organisers of the Arab American Day Festival very clearly attempted to demonstrate the normalcy of Arabs immigrants, drawing on the stories of other immigrant groups such as Koreans, Chinese, Italians, and Irish to show that there was "nothing strange" about Arabs<sup>8</sup>. These legitimating stories were intended to offset perceptions of the group as nonconforming, and they highlighted the unremarkable nature of Arab immigrants and their legitimate rights to be included in the American public. Clearly, this was a struggle. Power and politics – and practically speaking, asymmetrical power and political relations – condition the ability to gain legitimacy and to gain acceptance as new members of the public.

### *Relations of Property*

The final element of the regime of publicity involves relations of property. Many accounts of publicity assign an important role to public *space*, rather than to property. As we have noted, the visibility that may come with public space and the presumed ability to gain access to it makes public space a particularly important resource for groups as they attempt to engage in address and build connections with strangers. There are ways in which public space, however, can be conceptualised as a particular form of property; doing so draws attention to the rules and relationships – rules and relationships

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<sup>8</sup> See Nagel and Staeheli (2005) for a broader discussion of Arab American attempts to portray themselves and their communities as "normal" American immigrants, whose experience would be "just like the Irish".

legitimated through law – that qualify access to all kinds of spaces, all kinds of properties (Blomley, 2004). In this view, property is not just a physical plot of land, but is also the set of relationships and rights that make property meaningful as a form of wealth, as a resource in building places and structuring activities, and as imbued with power. Rather than a semantic conceit, then, the term “property” and the rights and relationships attendant to it make clear the ability to set terms of access (and exclusion); this is as true for property owned by governments as it is for property owned by individuals and corporations.

The rights and relationships that constitute property are important issues in the formation of publics because a range of expectations, rules, and legal protections exist that can regulate access to a property (e.g., the claims that can be made by virtue of ownership, and the kinds of activities at different times that might be allowed on a property). What are often described as “public spaces” are in fact properties with attendant relationships, regulations, and norms that can be used to differentiate people, behaviours, and political claims. Owners of properties can set limits on the kinds of people and behaviours that are allowed on the property and the terms of access. Owners can restrict both what is said and how it is said, as the organisers of the Arab American Day Festival found when they tried to plant the flags of Arab countries in a public park.

That property involves a set of rights means that it can also play a role in legitimating the strategies of groups who attempt to use it. So, for example, the fact that so many residents of Arab Town are property owners gives them a feeling of legitimacy as they make claims on local governments as taxpayers and as responsible denizens, even if not as citizens. Some actions and some people may press political claims that seem more or less legitimate, based in part on the norms and rules that regulate the property on which the claims are made. Transgressing norms of property, however, may also contribute to a loss of legitimacy, a loss that may be enforced by the police or courts. At the same time, and similar to what has been argued previously, contesting norms that involve property and attempting to reframe them may be part of a strategy for gaining access to the public sphere; over time, challenges may be incorporated into social practices and norms, becoming acceptable, unremarkable, and thereby legitimate.

Taken together, norms, legitimacy and the rights and relationships of property condition the entry of groups into public, the resources and opportunities that may be available in their struggles to gain entry, and the positioning of the group with respect to other members of the public. This is not a linear, mechanistic process, however, as

groups engaged in struggle over the public advance competing norms, strategies of legitimization, and manipulate the resources available to be mobilised through property rights and relationships. These relationships are not fixed, however, and so negotiating the process of gaining access to the public often involves tensions and conflicts. In short, there is a politics to publicity that fragments the public and that forces us to consider the possibility of multiple publics, rather than relying on a notion of a singular, overarching public sphere and public. This is the final element of our framework for understanding the relationship between spatial strategies and social relationship in attempts to stake a claim in public.

### **Public or Publics?**

The theoretical debates about the public are both wide-ranging and fierce. While many approaches accept the idea of a public being formed through address and discourse, there are wildly different conceptualisations of what constitutes discourse and about the characteristics of political subjects capable of participating in discourse. There is also a wide-ranging set of theoretical debates about the relationship between the public, the deliberation in the public sphere and governing; the issues here often hinge on whether the public is seen as equivalent to the polity, and therefore coterminous with the state<sup>9</sup>. These theoretical debates are often confused, however, as scholars attempt to link them with debates over the very meaning or constitution of the public. These debates are even more confused when theoretical ideas of academics confront the theories of activists and others involved in struggles on the ground.

For our purposes, one of the most important debates animating both academics and political agents (“sets” that may well overlap) has to do with whether a singular public is imagined or whether multiple publics are imagined. Very often, the idea of a singular public – such as one that might be governed by a nation-state – is mobilised for pragmatic purposes related to ruling or as a way of imagining the characteristics of those who “belong.” The idea of an American public forged through immigration, recognition of a common purpose, and mutual dependence, for instance, is one that imagines the members of the public in particular ways. In some political debates and in some theoretical arguments, those who do not meet the characteristics of the American public may be legitimately refused inclusion. By contrast, those who conceptualise multiple publics or a fragmented public typically argue that publics are actively created through

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<sup>9</sup> Ferree, et al (2002) provide an excellent summary of the ways these two strands of debate intersect.



address and through participation in public life, and are not simply historical remnants or the result of state power (e.g., Calhoun, 2002; Warner, 2002; Kohn, 2004; Iveson, 2007).

Conceptualising a public in this way acknowledges the possibility, and indeed the likelihood, of multiple publics to which individuals might feel aligned, that operate within and across political boundaries, and that have different spatial extensibilities (Watson, 2006). This plural conceptualization is aligned theoretically with ideas about multiple identities and recognizes the ways in which the attitudes and values of individual political subjects are often diffuse, are inconsistent, or even are sometimes in apparent conflict. In other words, it allows for agonism as the basis of politics (Mouffe 2000). While there is often cooperation and overlap between publics, there can also be struggle and conflict as variously positioned – and variously powerful – agents and institutions attempt to impose order and control. Warner (2002), for instance, makes a distinction between “the public,” which is a normative and hegemonic construction created through domination, and “a public,” which might be one of many publics that jostle against each other and to which an individual might be aligned. He argues that conflicts often arise when institutions associated with the state attempt to create a sense of a singular public aligned within the boundaries of nation-states or when institutions and agents attempt to create an idea of a set of behaviours and norms to which everyone in a polity must assimilate or conform. This is one way to interpret the vignettes discussed previously. Facing exclusion from “the public,” activists tried to create alternative spaces and alternative publics in which immigrants could be safe as they developed political skills and social acceptance. These alternative publics might be absorbed into the broader public at a later point, or they might remain sheltered publics that provide an entrée for limited access to the broader public. It is significant that the activists did not seem to share a common view of inclusion; some in Arab Town thought Arabs would ultimately be “just like the Irish” and be accepted; other immigrant activists think inclusion should allow the maintenance of separate identities; and others thought that legal restrictions would always marginalise migrant workers.

How are these safe spaces, these safe publics to be built? Paradoxically, it may rely on *exclusion*. There are numerous examples of groups creating spaces of exclusion in order to nurture marginalized groups and to build the strength and political voice to create “a public”, and ultimately perhaps, to enter “the public.” Fraser (1990), for instance, argues that exclusionary public spheres can provide an environment for discussion and development of political ideas and strategies for subaltern, or

marginalized, political groups. A number of empirical examples support Fraser's theoretical intervention by demonstrating the ways in which exclusionary spaces have been created to create a safe space to simply *be* in public. Iveson (2003), for example, analyses the controversies over the exclusion of men from a beach near Sydney. Elements of the debate over the beach included questions of whether it was allowable to maintain women-only "public" baths. Those who supported the exclusion of men argued that the maintenance of women-only spaces was important for women's ability to draw fully from the benefits offered in public spaces; in this case, histories of gendered oppression, discrimination, and violence – histories that reflect exclusion of a different type – were used to support exclusionary practices. Similarly, Fincher and Panelli (2001) demonstrate the ways in which women in Australia use private – and thereby potentially exclusionary – spaces of the home to formulate political strategies for claims-making on governments<sup>10</sup>. As these also demonstrate, bringing "private" matters into public spaces has been central to political strategies to develop the potential for the creation of publics in which subjectivities can be nurtured that allow entry into the broader public sphere. And sometimes groups occupy a space that seems neither fully public nor private, but to operate at the boundaries between them. Together, these strategies often involve the blurring – and even transgression – of boundaries between public and private in order to create political spaces from which large and small reorderings of political priorities, subjectivities, and perhaps the public sphere itself can be effected. Arab Town is perhaps an exemplar in this regard.

What all of this means is that entering a public realm on the part of groups is not a straightforward process of gaining access to a singular public, thereby creating an ever-more-inclusive polity. Instead, the process of entering the public realm through the creation and introduction of new publics is marked by "episodes" and longer term strategies in which groups themselves create exclusionary spaces that may offer a kind of protection as they nurture and develop their capacity to present themselves to other and to larger publics. As the examples demonstrate, the spatiality of publicity in this regard is complex, traversing public and private spaces that may be variously inclusive and exclusionary. While exclusion and privacy may be strategies appropriate at a given time or with regard to a particular goal, it nevertheless remains important to gain access to public spaces that are more open, perhaps more visible, in order to demonstrate conformance with particular norms and foster a sense of legitimacy in broader publics.

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<sup>10</sup> See also Anderson and Jacobs (1999).

## **Spatialities of Publicity**

If we take seriously the idea of multiple publics and the ways that regimes of publicity condition entry or access to a public – and they are just conceptual arguments, rather than something “proven” – then we also need to expand our arguments about the spatiality of the public realm and of publicity. The bare bones description of the relationship between space and publicity was never either adequate or accurate, but the argument developed in this paper should point the way to an even more nuanced and complex assessment of the relationships between spatiality, socio-political relationships, and publicity. Specifically, three dimensions or expressions of spatiality are important.

First, the metaphorical spaces of the public realm are important, for it is here that publics rub against each other, jostle for position with respect to other publics, and the agonism of politics is developed and expressed. These metaphorical spaces are often interlinked with material spaces, but the relationships between publics and their relative positioning can be conceptualised in terms of spatiality. Drawing attention to the metaphorical spaces of the public realm reminds us not to over-emphasise material public spaces in the struggles to gain access to the public realm; in so doing, we can perhaps avoid the deterministic quality of some arguments that imply that claiming space or gaining visibility in public space is a key moment. Enough rallies and sit-ins and protests have claimed public space but failed to advance political claims beyond that moment to suggest we should be cautious and wary of drawing such a conclusion. It is, for instance, an open question as to whether the immigrant rights rallies were successful to the extent that they occupied spaces or whether it is because those temporary occupations led to different kinds of mobilisations in private spaces and in the metaphorical spaces of public debate and deliberation. And while participants in the rallies are loathe to suggest the rallies and mobilisations were not successful, a case could be made that they failed to create safe spaces in the public realm for immigrants, given the defeat of proposed legislation that might have relaxed the procedures for undocumented immigrants to gain the legal right to remain in the US. The point here is that claiming public spaces is only one possible strategy for staking a claim in the metaphorical spaces of the public. It is the positioning within the broader public – the metaphorical geography of that public – that is significant in the quality of democracy and of what it means to be included within it.

Second, while not wanting to over-emphasise public spaces, material spaces are nevertheless important. We have focused on one aspect of these spaces, that of the relationships associated with property. Property and its attendant rights and relationships are one element or resources that is available to groups in negotiating access to the public realm. In saying that it is available, however, we have not argued that it is determining. Rather, we have focused on the relationships involved in property because they set the terms under which people and groups can use material spaces as part of a broader strategy. Sometimes, transgressing the rules and expectations associated with a particular property is part of a group's strategy; rallies and protests are often predicated on this strategy. Sometimes, conforming to them is part of the strategy, as in the development of Arab Town. Sometimes, wiggling around them is part of the strategy, as the organisers of the Arab American Day Festival did by floating the flags of Arab countries over the park after the local government – the owner of the property – said they could not plant them on the ground. Property, we argue, is not significant on its own, but is important in relation to broader social norms and practices of legitimization. Through the interaction of these three elements of the regime of publicity, publics are constructed and struggles for access and positioning in the public realm are waged.

Finally, our conceptualisation of the spatiality of the public realm means that there is a geography of publicity that is manifested in the neighbourhoods and physical spaces of cities, towns, and rural areas in which people go about their daily lives. This geography is neither fully material nor fully metaphorical. Instead, it is the geography of publicity that we enact, sometimes without knowing or being aware of. This is the geography in which people claim – through visibility, protest, and through banal activities – their rights to be included in the public realm.

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**Figure 1: Map of Arab Town.** Source: *The Arab World*, 27 June, 2003, p. B8